

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**IN RE: CENTURYLINK SALES
PRACTICES AND SECURITIES
LITIGATION**

MDL No. 17-2795 (MJD/KMM)

This document relates to:

0:17-cv-02832, 0:17-cv-04613,
0:17-cv-04614, 0:17-cv-04615,
0:17-cv-04616, 0:17-cv-04617,
0:17-cv-04618, 0:17-cv-04619,
0:17-cv-04622, 0:17-cv-04943,
0:17-cv-04944, 0:17-cv-04945,
0:17-cv-04947, 0:17-cv-05001,
0:17-cv-05046

**PLAINTIFFS' MOTION TO
COMPEL PRODUCTION OF
DOCUMENTS**

Pursuant to Federal Rules of Civil Procedure 37 and 45(d)(2)(B)(i), Plaintiffs hereby move this Court for an Order compelling Defendant CenturyLink, Inc. and proposed intervenors Qwest Corporation, Embarq Florida, Inc., Embarq Missouri, Inc., Carolina Telephone and Telegraph Company LLC, Central Telephone Company, CenturyTel of Idaho, Inc., CenturyTel of Larsen-Readfield, LLC, CenturyTel of Washington, Inc., CenturyTel Broadband Services, LLC, and Qwest Broadband Services, Inc. ("Proposed Intervenors") to provide documents responsive to Plaintiffs' Request for Production of Documents, Set One and to Plaintiffs' subpoenas *duces tecum* to the Proposed Intervenors.

Plaintiffs' present motion seeks to compel the production of documents relevant to Plaintiffs' examination of the numerous unilateral factual assertions Defendant and the Proposed Intervenors have made in support of their motions to intervene, to dismiss for

lack of personal jurisdiction over CenturyLink, Inc., and to compel arbitration. Chief among these factual assertions are that CenturyLink, Inc. is a mere shell company lacking employees or any business operations, and that the Proposed Intervenor are responsible for the promises, representations, breaches, and omissions underlying Plaintiffs' Consolidated Class Action Complaint. The Document Requests in dispute focus primarily on testing these factual assertions, which directly conflict with facts Defendant, Proposed Intervenor, and their counsel have disseminated outside of their pending motion papers.

Counsel for Plaintiffs, CenturyLink, Inc., and the Proposed Intervenor met and conferred by telephone on May 11, May 14, and May 18, 2018 regarding the Document Requests. Counsel were able to resolve some of their differences, but several issues remain that require the Court's guidance. A ruling on the appropriateness of the objections by CenturyLink, Inc. and the Proposed Intervenor should assist the parties as future disputes arise.

Plaintiffs' motion will be based upon their memorandum of law and any declarations, exhibits, and other supporting documents to be filed in support thereof.

Dated: May 23, 2018

Respectfully submitted,

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